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MURDAUGH STUART MADDEN, JR.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

MURDAUGH STUART MADDEN, JR.,
Defendant.

Case No. CR 07-00245 RMW

**STIPULATION AND ~~[PROPOSED]~~
ORDER SEALING PROBATION
RECORDS**

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Pursuant to the Honorable Jeremy Fogel's minute order, dated January 14, 2009, the parties hereby STIPULATE THAT:

1. The Honorable Jeremy Fogel shall remove from his files, or any other file within the Court, all documents received by the Court from the Northern District of California Probation Office related to the above-captioned matter, including but not limited to: the single-page Memorandum, dated September 11, 2007, from Mr. Iqbal to the Honorable Jeremy Fogel, the eighteen-page Presentence Investigation Report prepared on August 22, 2007, the four-page Addendum to The Presentence Report, and the six-page Sentencing Recommendation (collectively, as described in the record, the "The Presentence Report" or "PSR"), as well as any other documents received by the Court from the probation office, including letters of support and the Probation Chronological Record Report From 06/01/2006 To 06/30/2008.

2. The Honorable Jeremy Fogel shall return the above-noted documents to the Probation Office, with instructions that the Probation Chronological Record Report be sealed by the Probation Office in a separate file, not to be made public to any person or party without a formal Order of this Court after duly noticed Motion and Hearing.

3. The Honorable Jeremy Fogel shall instruct the Probation Office not to return any of the above-noted probation documents to the Court without a formal Order of this Court after duly noticed Motion and Hearing.

McMANIS FAULKNER

Dated: March 2, 2009

//s//

JOSHUA VOORHEES

Attorneys for Defendant,
MURDAUGH STUART MADDEN

OFFICE OF THE U.S. ATTORNEY

Dated: March 2, 2009

//s//

DAVID R. CALLAWAY

Attorneys for Plaintiff,
UNITED STATES OF AMERICA

ORDER

1
2 1. The Honorable Jeremy Fogel shall remove from his files, or any other file
3 within the Court, all documents received by the Court from the Northern District of California
4 Probation Office related to the above-captioned matter, including but not limited to: the single-
5 page Memorandum, dated September 11, 2007, from Mr. Iqbal to the Honorable Jeremy Fogel,
6 the eighteen-page Presentence Investigation Report prepared on August 22, 2007, the four-
7 page Addendum to The Presentence Report, and the six-page Sentencing Recommendation
8 (collectively, as described in the record, the "The Presentence Report" or "PSR"), as well as
9 any other documents received by the Court from the probation office, including letters of
10 support and the Probation Chronological Record Report From 06/01/2006 To 06/30/2008.

11 2. The Honorable Jeremy Fogel shall return the above-noted documents to the
12 Probation Office, with instructions that the Probation Chronological Record Report be sealed
13 by the Probation Office in a separate file, not to be made public to any person or party without
14 a formal Order of this Court after duly noticed Motion and Hearing.

15 3. The Honorable Jeremy Fogel shall instruct the Probation Office not to return
16 any of the above-noted probation documents to the Court without a formal Order of this Court
17 after duly noticed Motion and Hearing.

18
19 IT IS SO ORDERED.

20 DATED: 3/11/09
21 _____



THE HON. JEREMY FOGEL
UNITED STATES DISTRICT JUDGE